

MITCHELL DIXON JR X-REF 4549387

Name and Prisoner/Booking Number

Sacramento County men Jail

Place of Confinement

651 "I" STREET

Mailing Address

Sacramento, CA 95614

City, State, Zip Code

FILED

MAY 31 2022

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

BY DEPUTY CLERK

(Failure to notify the Court of your change of address may result in dismissal of this action.)

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

California
of
Superior Court

(Full Name of Plaintiff)

Plaintiff,

v.

CASE NO.

2:22 - CV 0930 - DMC PC

(To be supplied by the Clerk)

(1) MARLETTE

(Full Name of Defendant)

(2) L. WHITE

(3) GWEON

(4) DAVIS

Defendant(s).

☒ Check if there are additional Defendants and attach page 1-A listing them.

CIVIL RIGHTS COMPLAINT
BY A PRISONER

☐ Original Complaint

☐ First Amended Complaint

☐ Second Amended Complaint

A. JURISDICTION

1. This Court has jurisdiction over this action pursuant to:

☐ 28 U.S.C. § 1343(a); 42 U.S.C. § 1983

☐ 28 U.S.C. § 1331; Bivens v. Six Unknown Federal Narcotics Agents, 403 U.S. 388 (1971).

☒ Other: CARRIER J. HAYES Hashimoto MR. Frawley
Defendants.

2. Institution/city where violation occurred: Sacramento County Jail

B. DEFENDANTS

1. Name of first Defendant: _____. The first Defendant is employed as: _____

(Position and Title) at _____ (Institution)
2. Name of second Defendant: _____. The second Defendant is employed as: _____

(Position and Title) at _____ (Institution)
3. Name of third Defendant: _____. The third Defendant is employed as: _____

(Position and Title) at _____ (Institution)
4. Name of fourth Defendant: _____. The fourth Defendant is employed as: _____

(Position and Title) at _____ (Institution)

If you name more than four Defendants, answer the questions listed above for each additional Defendant on a separate page.

C. PREVIOUS LAWSUITS

1. Have you filed any other lawsuits while you were a prisoner? ☐ Yes ☒ No
2. If yes, how many lawsuits have you filed? _____. Describe the previous lawsuits:
 - a. First prior lawsuit:
 1. Parties: _____ v. _____
 2. Court and case number: _____
 3. Result: (Was the case dismissed? Was it appealed? Is it still pending?) _____
 - b. Second prior lawsuit:
 1. Parties: _____ v. _____
 2. Court and case number: _____
 3. Result: (Was the case dismissed? Was it appealed? Is it still pending?) _____
 - c. Third prior lawsuit:
 1. Parties: _____ v. _____
 2. Court and case number: _____
 3. Result: (Was the case dismissed? Was it appealed? Is it still pending?) _____

If you filed more than three lawsuits, answer the questions listed above for each additional lawsuit on a separate page.

D. CAUSE OF ACTION

CLAIM I

1. State the constitutional or other federal civil right that was violated: my Constitutional right as fifth amendment.

2. **Claim I.** Identify the issue involved. Check **only one**. State additional issues in separate claims.

- | | | | |
|---|---|---|---------------------------------------|
| <input checked="" type="checkbox"/> Basic necessities | <input type="checkbox"/> Mail | <input checked="" type="checkbox"/> Access to the court | <input type="checkbox"/> Medical care |
| <input checked="" type="checkbox"/> Disciplinary proceedings | <input type="checkbox"/> Property | <input type="checkbox"/> Exercise of religion | <input type="checkbox"/> Retaliation |
| <input checked="" type="checkbox"/> Excessive force by an officer | <input type="checkbox"/> Threat to safety | <input type="checkbox"/> Other: _____ | |

3. **Supporting Facts.** State as briefly as possible the FACTS supporting Claim I. Describe exactly what each Defendant did or did not do that violated your rights. State the facts clearly in your own words without citing legal authority or arguments.

DENIED ACCESS TO THE COURT FOR
REASON THAT ONE OF UNKNOWN, I
FILED TWO WRIT OF HABEAS CORPUS
WHICH WERE DENIED; HOWEVER I
am BEING DENIED COURT DATE
and am sitting in Jail with
a State Hospital Hold for NO
REASON. I HAVE HAD EIGHT DIFFERENT
JUDGE in a year LONG PROCEEDING
WHICH in the proceeding it was
SAID THAT I WAS INCOMPETENT
WHICH is NOT true. I am able
to stand trial and I know
what kind of Court resolution
that I want; it is the Court's
FAILURE to overrule this.

4. **Injury.** State how you were injured by the actions or inactions of the Defendant(s).

BYE THESE ACTION it is a financial
UNSTABILITY BYE BEING INCARCERATED.

5. **Administrative Remedies:**

- Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution? ☒ Yes ☐ No
- Did you submit a request for administrative relief on Claim I? ☒ Yes ☐ No
- Did you appeal your request for relief on Claim I to the highest level? ☒ Yes ☐ No
- If you did not submit or appeal a request for administrative relief at any level, briefly explain why you did not. _____

CLAIM II

1. State the constitutional or other federal civil right that was violated: my Constitutional right too speak in Court on my behalf.

2. Claim II. Identify the issue involved. Check **only one**. State additional issues in separate claims.

- | | | | |
|---|---|---|---------------------------------------|
| <input checked="" type="checkbox"/> Basic necessities | <input type="checkbox"/> Mail | <input checked="" type="checkbox"/> Access to the court | <input type="checkbox"/> Medical care |
| <input checked="" type="checkbox"/> Disciplinary proceedings | <input type="checkbox"/> Property | <input type="checkbox"/> Exercise of religion | <input type="checkbox"/> Retaliation |
| <input checked="" type="checkbox"/> Excessive force by an officer | <input type="checkbox"/> Threat to safety | <input type="checkbox"/> Other: _____ | |

3. **Supporting Facts.** State as briefly as possible the FACTS supporting Claim II. Describe exactly what each Defendant did or did not do that violated your rights. State the facts clearly in your own words without citing legal authority or arguments.

I HAVE NOT BEEN OFFERED A OPPORTUNITY TO SPEAK IN COURT ON MY INNOCENCE INSTEAD I HAVE BEEN TAKEN OFF THE COURT ROLANDER BUT A TEAM OF RECKLESS JUDGES THE NAMES OF THE JUDGES ARE THE NAMES OF DEFENDANTS AS FOLLOWS, I WOULD LIKE SOMEONE WITH AUTHORITY IN THE COURT ROOM TOO HEAR MY CASE MY CASE IS NOT BEING HEARD BUT THE RIGHT PEOPLE END I AM CLEARLY EXPLAINING MY ISSUE THAT I AM HAVING SOMEONE NEXT TO TAKE RESPONSIBILITY FOR THESE FAILURE OF INACTIONS.

4. **Injury.** State how you were injured by the actions or inactions of the Defendant(s).

5. **Administrative Remedies.**

- Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution? ☐ Yes ☒ No
- Did you submit a request for administrative relief on Claim II? ☐ Yes ☒ No
- Did you appeal your request for relief on Claim II to the highest level? ☐ Yes ☒ No
- If you did not submit or appeal a request for administrative relief at any level, briefly explain why you did not. _____

CLAIM III

1. State the constitutional or other federal civil right that was violated: my Constitutional right to speak to a Judge.

2. Claim III. Identify the issue involved. Check **only one**. State additional issues in separate claims.

- | | | | |
|--|---|---|---|
| <input checked="" type="checkbox"/> Basic necessities | <input type="checkbox"/> Mail | <input checked="" type="checkbox"/> Access to the court | <input type="checkbox"/> Medical care |
| <input type="checkbox"/> Disciplinary proceedings | <input type="checkbox"/> Property | <input type="checkbox"/> Exercise of religion | <input checked="" type="checkbox"/> Retaliation |
| <input type="checkbox"/> Excessive force by an officer | <input type="checkbox"/> Threat to safety | <input type="checkbox"/> Other: _____ | |

3. **Supporting Facts.** State as briefly as possible the FACTS supporting Claim III. Describe exactly what each Defendant did or did not do that violated your rights. State the facts clearly in your own words without citing legal authority or arguments.

my ACCESS to the Court is
or major importance I am
willing to present the Court
with a resolution too my
case. However, there isn't anyone
that hearing me out on
my importance with getting
back on the Court calendar
I wrote 3 letters to the
Judge explaining every issue
that I can possibly have
in the Court room that
holding my present custody.

4. **Injury.** State how you were injured by the actions or inactions of the Defendant(s).

NEVER TO BE SET FREE.

5. **Administrative Remedies.**

- Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution? ☐ Yes ☒ No
- Did you submit a request for administrative relief on Claim III? ☐ Yes ☒ No
- Did you appeal your request for relief on Claim III to the highest level? ☐ Yes ☒ No
- If you did not submit or appeal a request for administrative relief at any level, briefly explain why you did not. _____

If you assert more than three Claims, answer the questions listed above for each additional Claim on a separate page.

E. REQUEST FOR RELIEF

State the relief you are seeking:

THE RELIEF that I am seeking
is for me to BE put
back on the Court Calendar
I need a Court Date.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 5/23/2022
DATE

Mitchell Dyer
SIGNATURE OF PLAINTIFF

(Name and title of paralegal, legal assistant, or
other person who helped prepare this complaint)

(Signature of attorney, if any)

(Attorney's address & telephone number)

ADDITIONAL PAGES

All questions must be answered concisely in the proper space on the form. If you need more space you may attach more pages, but you are strongly encouraged to limit your complaint to twenty-five pages. If you attach additional pages, be sure to identify which section of the complaint is being continued and number all pages. Remember, there is no need to attach exhibits to your complaint.